

VZCZCXRO0656  
RR RUEHBZ RUEH DU RUEHGI RUEHJO RUEHMR RUEHRN  
DE RUEH KI #0451 1091352  
ZNR UUUUU ZZH  
R 191352Z APR 07  
FM AMEMBASSY KINSHASA  
TO RUEHC/SECSTATE WASHDC 5995  
INFO RUEHXR/RWANDA COLLECTIVE  
RUCNSAD/SOUTHERN AF DEVELOPMENT COMMUNITY  
RUEAIIA/CIA WASHDC  
RHEFDIA/DIA WASHDC  
RHMFISS/HQ USEUCOM VAIHINGEN GE  
RUFOADA/JAC MOLESWORTH RAF MOLESWORTH UK

UNCLAS KINSHASA 000451

SIPDIS

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SENSITIVE

E.O.12958: N/A  
TAGS: [PGOV](#) [PHUM](#) [KDEM](#) [KPAO](#) [CG](#)  
SUBJECT: VERDICT RETURNED IN ASSASSINATION OF JOURNALIST

REF: A) 06 Kinshasa 270; B) Kinshasa 263

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¶1. (U) Summary: Eighteen months after the assassination of journalist Franck Ngyke Kungundu and his wife Helene Paka, a military court delivered a guilty verdict against three of the accused assassins, all members of the DRC armed forces. Some media watchdog groups think the investigation and trial were incomplete and failed to establish the real motives of the assassination. End Summary.

¶2. (U) A military tribunal April 13 handed down death sentences in the Franck Ngyke Kungundu case to second lieutenant Joel Munganda (the presumed mastermind of the crime) and warrant officer Papy Munongo. It condemned second lieutenant Didier Awatimbine to life imprisonment. These persons had been charged with assassination, attempted murder, extortion, and insubordination. A verdict of not guilty was returned for Paulin Kusingila, the uncle of Munganda. Munganda had called his uncle with Ngyke's cell phone thirty minutes after the murder.

¶3. (U) In an April 13 communique, media watchdog group Journaliste en Danger (JED), which produced an investigative report associating Franck Ngyke Kungundu with a PPRD power struggle in Bandundu province, expressed disappointment at "an incomplete trial that has not clearly established the real motives of the assassination," which it says smacks of politically-motivated murder, not a robbery gone bad.

¶4. (SBU) Polydor Muboyayi, the president of the Observatory of Congolese Media (OMEC), told us that the investigation and military trial did not go far enough. The lawyers for the Ngyke family also expressed this opinion in their summation. Furthermore, defense lawyers claimed the prosecution failed to produce convincing evidence against the accused soldiers.

¶5. (SBU) Comment: The military tribunal may not have pursued a PPRD smoking gun, because there was not one, notwithstanding journalist Franck Ngyke's careless professional association with the party. The suspicion will linger, however, that politics had a bearing on the investigation and the outcome of this case, if only because such has amply been proven to be the case before. However long and perhaps sloppy the process, this trial represents the first conviction in the death of a journalist in many years. End Comment.

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